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FILED

DISTRICT COURT OF GUAM

OCT 12 2006

MARY L.M. MORAN
CLERK OF COURT

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

| | | |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | CRIMINAL CASE NO. 05-00053 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MOTION TO DISMISS |
| |) | COUNT VI OF SECOND |
| JONATHAN E. CANOVAS, |) | SUPERSEDING INDICTMENT |
| |) | |
| Defendant. |) | |

COMES NOW the plaintiff, United States of America, by and through its undersigned attorney, and moves that Count VI of the Second Superseding Indictment in the above cause against defendant, JONATHAN E. CANOVAS, be dismissed, without prejudice, for the reason that the defendant has plead guilty to Count I and sentenced on October 12, 2006.

Respectfully submitted this 12th day of October 2006.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and NMI

By:


KARON V. JOHNSON
Assistant U.S. Attorney